

which will exceed 30 days from date of establishment.

**§ 1203a.102 Establishment, maintenance, and revocation of security areas.**

(a) *Establishment.* (1) Directors of NASA field and component installations, and the Director of Headquarters Administration for NASA Headquarters (including component installations) may establish, maintain, and protect such areas as restricted, limited, or closed depending upon the opportunity available to unauthorized persons either to:

- (i) Obtain knowledge of classified information,
- (ii) Damage or remove property, or to
- (iii) Disrupt Government operations.

(2) The concurrence of the Director of Security NASA Headquarters, will be obtained prior to the establishment of a permanent security area.

(3)(i) As a minimum, the following information will be submitted to the Director of Security 15 workdays prior to establishment of each permanent security area:

(a) The name and specific location of the NASA field or component installation, facility, or property to be protected.

(b) A statement that the property is owned by, or leased to, the United States for use by NASA or is the property of a NASA contractor located on a NASA installation or component installation.

(c) Designation desired: i.e., restricted, limited, or closed.

(d) Specific purpose(s) for the establishment of a security area.

(ii) For those areas currently designated by the installation as "permanent security areas," the information set forth in paragraph (d)(3)(i) of this section will be furnished to the Security Division, NASA Headquarters, within 30 workdays of the effective date of this part.

(b) *Maintenance.* The security measures which may be utilized to protect such areas will be determined by the requirements of individual situations. As a minimum such security measures will:

(1) Provide for the posting of signs at entrances and at such intervals along

the perimeter of the designated area as to provide reasonable notice to persons about to enter thereon. The Director of Security, NASA Headquarters, upon request, may approve the use of signs that are now being used pursuant to a State statute.

(2) Regulate authorized personnel entry and movement within the area.

(3) Deny entry of unauthorized persons or property.

(4) Prevent unauthorized removal of classified information and material or property from a NASA installation or component installation.

(c) *Revocation.* Once the need for an established permanent security area no longer exists, the area will be returned immediately to normal controls and procedures or as soon as practicable. The Director of Security will be informed of permanent security area revocations within 15 workdays.

**§ 1203a.103 Access to security areas.**

(a) Only those NASA employees, NASA contractor employees, and visitors who have a need for such access and who meet the following criteria may enter a security area:

(1) *Restricted area.* Be authorized to enter the area alone or be escorted by or under the supervision of a NASA employee or NASA contractor employee who is authorized to enter the area.

(2) *Limited area.* Possess a security clearance equal to the level of the classified information or material involved or be the recipient of a satisfactorily completed national agency check if classified material or information is not involved. Personnel who do not meet the requirements for unescorted access may be escorted by a NASA employee or NASA contractor employee who meets the access requirements and has been authorized to enter the area.

(3) *Closed area.* Possess a security clearance equal to the classified information or material involved.

(b) The directors of NASA field and component installations, and the Director of Headquarters Administration for NASA Headquarters (including component installations) may rescind previously granted authorizations to enter a security area when an individual's continued presence therein is no

## § 1203a.104

longer required, threatens the security of the property therein, or is disruptive of Government operations.

### § 1203a.104 Violation of security areas.

(a) *Removal of unauthorized persons.* The directors of NASA field and component installations (or their designees) and the Director of Headquarters Administration for NASA Headquarters (including component installations) or his designee may order the removal or eviction of any person whose presence in a designated security area is in violation of the provisions of this part or any regulation or order established pursuant to the provisions of this part.

(b) *Criminal penalties for violation.* Whoever willfully violates, attempts to violate, or conspires to violate any regulation or order establishing requirements or procedures for authorized entry into an area designated restricted, limited, or closed pursuant to the provisions of this part may be subject to prosecution under 18 U.S.C. 799 which provides penalties for a fine of not more than \$5,000 or imprisonment for not more than 1 year, or both.

### § 1203a.105 Implementation by field and component installations.

If a Director of a NASA field or component installation finds it necessary to issue supplemental instructions to any provision of this part, the instructions must first be published in the FEDERAL REGISTER. Therefore, the proposed supplemental instructions will be sent to the Security Division (Code DHZ), NASA Headquarters, in accordance with NASA Management Instruction 1410.10 for processing.

## PART 1203b—SECURITY PROGRAMS; ARREST AUTHORITY AND USE OF FORCE BY NASA SECURITY FORCE PERSONNEL

Sec.

1203b.100 Purpose.

1203b.101 Scope.

1203b.102 Definitions.

1203b.103 Arrest authority.

1203b.104 Exercise of arrest authority—general guidelines.

1203b.105 Use of non-deadly physical force when making an arrest.

1203b.106 Use of deadly force.

## 14 CFR Ch. V (1–1–06 Edition)

1203b.107 Use of firearms.

1203b.108 Management oversight.

1203b.109 Disclaimer.

AUTHORITY: Sec. 304(f) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2456a).

SOURCE: 57 FR 4926, Feb. 11, 1992, unless otherwise noted.

### § 1203b.100 Purpose.

This regulation implements section 304(f) of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2456a), by establishing guidelines for the exercise of arrest authority and for the exercise of physical force, including deadly force, in conjunction with such arrest authority.

### § 1203b.101 Scope.

This part applies to only those NASA and NASA contractor security force personnel who are authorized to exercise arrest authority in accordance with 42 U.S.C. 2456a and this regulation.

### § 1203b.102 Definitions.

*Accredited Course of Training.* A course of instruction offered by the Federal Law Enforcement Training Center, or an equivalent course of instruction offered by another Federal agency. See §1203b.103(a)(1).

*Arrest.* An act, resulting in the restriction of a person's movement, other than a brief detention for purposes of questioning about a person's identity and requesting identification, accomplished by means of force or show of authority under circumstances that would lead a reasonable person to believe that he/she was not free to leave the presence of the officer.

*Contractor.* NASA contractors and subcontractors at all tiers.

### § 1203b.103 Arrest authority.

(a) NASA security force personnel may exercise arrest authority, provided that:

(1) They graduate from an accredited training course (see §1203b.102(a)); and

(2) They have been certified in writing by the Associate Administrator for Management Systems and Facilities, or designee, as specifically authorized to exercise arrest authority.